

Stubblefield, Wm. Loggins, John Wade, John Alexander, Richard Wade and Dogan Tucker, pending in the District Court of Wood county," and accompanying report, recommending that said act do not pass, was read second time, and the report of the committee adopted. The bill was therefore lost.

Senate bill, No. 13, "An act to amend 'An act, prescribing the times for holding the district courts in the several judicial districts of the State,'" and accompanying report, that the bill do pass, was taken up, read second time, report of the committee adopted, and bill ordered engrossed.

On motion of Senator Trollinger, the rules were suspended. Bill read three times and passed.

Senate bill No. 9, "An act to incorporate the Austin Omnibus Company," and accompanying report, that said bill do not pass, was taken up; read second time, report of committee adopted, and bill lost.

Senator Erath moved a suspension of the rules, to take up House bill No. 54, "An act incorporating Waco Lodge No. 70, Independent Order of Odd Fellows." The rules were suspended, bill taken up, and read first time.

On motion of Senator Erath, the rules were suspended, and bill read second time.

On motion of Senator Erath, the rules were further suspended, bill read third time and passed.

Senator Baker moved a suspension of the rules to take up House bill No. 46, an act to be entitled "An act to consolidate in one act, and amend the several acts incorporating the city of Houston, in Harris county." Rules suspended, bill read first time.

On motion of Senator Wood, the rules were suspended, and bill read second time.

On motion of Senator Wood, the rules were further suspended, bill read third time and passed.

Senator Ireland introduced a bill entitled "An act to require outgoing officers to turn over to their successors all books, papers and other property pertaining to the several offices in this State." Read first time and referred to Judiciary Committee.

Senator Westfall moved a reconsideration of the vote taken on the passage of House bill No. 46, "An act to be entitled 'An act to consolidate in one act and amend the several acts incorporating the city of Houston.'" Carried.

Yeas and nays being called for on the passage of said bill, the vote stood thus:

Yeas—Senators Allison, Ball, Baker, Bradshaw, Bradley, Camp, Culberson, Davenport, Dillard, Dwyer, Ellis, Erath, Friend, Hobby, Ireland, Morris, Moore, Parker, Russell, Swift, Trollinger, Westfall and Wood 23.

Nays—None.

Senator Randle was excused from voting. Absent, not voting—Senators Flanagan, Ledbetter and Stirman.

Senator Randle, chairman of the Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills beg leave to report that they have carefully examined and compared Senate bill No. 14, "To authorize district judges to inquire into the sufficiency of the bonds of justices of the peace," which we find correctly engrossed.

ED. RANDLE, Chairman.

Senator Dwyer introduced a bill entitled "An act regarding special elections in counties, cities or towns for the construction of railroads, and other works of internal improvement." Read first time and referred to Committee on Internal Improvements.

Senator Wood introduced a concurrent resolution "concerning the election of a Senator to the Congress of the United States to succeed the Hon. J. W. Flanagan, whose term of office expires on the third day of March, A. D. 1875." Adopted.

Senator Wood introduced a concurrent resolution "concerning the employment of additional clerks, temporarily, in the Comptroller's office." Adopted.

Senator Hobby, chairman of Committee on Enrolled Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Enrolled Bills ask leave to report that they have carefully examined Senate bill No. 25, "An act to amend 'An act to incorporate the city of Brownsville,'" approved February 7, A. D. 1853, and find the same correctly enrolled.

Hobby, Chairman.

On motion of Senator Wood, the Senate adjourned to 10 o'clock A. M. to-morrow.

ELEVENTH DAY.

SENATE CHAMBER,
AUSTIN, January 24, 1874.

Senate met pursuant to adjournment. Roll called; quorum present.

Prayer by the Rev. Mr. Dodge.

Journal of yesterday read and adopted.

Senator Wood moved that Senator Baker be excused until Tuesday next. Granted.

Message from the House announced the passage of the following House bills: House bill No. 53, "An act supplemental to an act entitled 'An act to incorporate the city of Brenham, and to grant a new charter to said city,'" approved February 4, 1873; House bill No. 59, "An act to amend an act

entitled "An act to incorporate the city of Galveston, and grant a new charter to said city, and to repeal all acts heretofore passed to incorporate said city," etc.; House bill No. 61, "An act authorizing the County Court of Cameron county to issue bonds for the purpose of funding the county indebtedness, and to provide for the payment of the same."

Senator Dwyer, for the Committee on Enrolled Bills, submitted the following report: *Hon. R. B. Hubbard, President of the Senate:* Your Committee on Enrolled Bills respectfully report that Senate bill No. 25, "An act to amend 'An act to incorporate the city of Brownsville,'" approved February 7, A. D. 1853, was presented to the Governor for his signature at 12 o'clock M., January 23, 1874.

JOSEPH E. DWYER, for Committee.

Senator Ireland, chairman of Judiciary Committee, submitted the following reports: *Hon. R. B. Hubbard, President of the Senate:*

The Committee on Judiciary, to whom was referred Senate bill No. 33, entitled "An act to authorize a change of venue in civil cases," respectfully ask leave to report the same back, with the recommendation that it do pass.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate:

The Committee on Judiciary, to whom was referred Senate bill No. 32, entitled "An act to amend article seven hundred and seventy-three, of 'An act to establish a criminal code,'" respectfully report the same back, with the recommendation that the same do pass.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate:

The Judiciary Committee, to whom was referred Senate bill No. 34, entitled "An act to regulate proceedings in the district courts," respectfully ask leave to report said bill back, with the recommendation that it do not pass.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate:

The Committee on Judiciary respectfully ask leave to report that it has had under consideration Senate bill No. 29, entitled "An act to validate the registration of deeds and other evidences of title in certain cases," and report the same back, with an amendment by adding the words "within this State or any other State," and recommend the passage of said bill as amended.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate:

The Committee on Judiciary to whom was referred Senate bill No. 27, entitled "An act to amend article 2094, Code Criminal Procedure," respectfully ask leave to report the same back, with an amendment, that "the act take effect from its passage," and recommend the passage of said bill, as amended.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate:

The committee to whom was referred "An act to regulate the sale of the homestead," beg leave to report a substitute for said bill, and recommend the passage of said substitute.

IRELAND, Chairman.

Hon. R. B. Hubbard, President of the Senate:

The Judiciary Committee to whom was referred Senate bill No. 40, entitled "An act to require out-going officers to turn over to their successors all books and papers pertaining to their offices," respectfully ask leave to report the same back, with an amendment, by adding the words "willfully and fraudulently," and recommend the passage of the bill as amended.

IRELAND, Chairman.

Senator Bradshaw, chairman of Committee on Public Lands, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your committee to whom was referred a bill, entitled "An act to add certain lands to the school fund," instruct me to report the same back, with the recommendation that the same do pass.

BRADSHAW, Chairman.

Senator Moore, for Committee on Public Buildings, made the following report:

Hon. R. B. Hubbard, President of the Senate:

Your committee having examined the condition of the Executive Mansion, beg leave to submit the following report: That in our opinion, the front of the mansion, including the gallery floor, needs repainting; that the carpet in the lower hall should be removed and a new carpet furnished; that some of the furniture needs revarnishing; further, that some of the rooms need repairs in the way of plastering. There also seems to be a deficiency of chairs, and we therefore recommend the passage of a joint resolution, herewith accompanied, appropriating six hundred dollars, or so much thereof as may be necessary to repair, repaint and refurnish the Executive Mansion.

MOORE, for Committee.

Senator Randle, Chairman of the Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills beg leave to report that they have carefully examined and compared Senate bill No. 7, "Authorizing the County Court of Tyler county to levy a special tax for certain purposes." Also, Senate bill No. 8, "To reorganize the Seventh, Eighth and Eleventh Judicial Districts of the State of Texas, and to fix the time for holding the courts therein," each and both of which we find correctly engrossed.

ED. RANDLE, Chairman.

Senator Swift introduced a bill entitled "An act for the relief of the heirs of V. B.

(Garner, deceased." Read first time and referred to Committee on Private Land Claims.

Senator Swift introduced a bill entitled "An act for the relief of the heirs and assignees of Jones Ship, deceased." Read first time and referred to Committee on Private Land Claims.

Senator Erath introduced a joint resolution "To amend the Constitution of the State of Texas." Read first time and referred to Committee on Constitutional Amendments.

Senator Ireland introduced a bill entitled "An act to regulate the testimony of witnesses in cases of bribery." Read first time and referred to Judiciary Committee.

ORDERS OF THE DAY.

House bill No. 47, "An act to amend 'An act to incorporate the city of Jefferson, in Marion county, and to repeal all laws heretofore passed incorporating said city or amendatory thereof,'" approved April 15, 1873, was read first time.

On motion of Senator Westfall, the rules were suspended, and bill read second time.

On motion of Senator Westfall, the rules were further suspended, bill read third time and passed by the following vote:

Yeas—Senators Allison, Ball, Bradshaw, Bradley, Camp, Culberson, Davenport, Dillard, Ellis, Erath, Friend, Hobby, Ireland, Morris, Moore, Parker, Randle, Russell, Swift, Trollinger, Westfall and Wood—22.

Nays—None.

Absent, not voting—Senators Dwyer, Flanagan, Ledbetter and Stirman.

House bill No. 59, "An act to amend 'An act incorporating the city of Galveston, and to repeal all laws heretofore passed incorporating said city and to grant a new charter,'" was read first time.

On motion of Senator Wood, the rules were suspended and bill read second time.

On motion of Senator Wood, the rules were further suspended, bill read third time and passed by the following vote:

Yeas—Senators Allison, Ball, Bradshaw, Camp, Culberson, Davenport, Dillard, Ellis, Erath, Friend, Hobby, Ireland, Morris, Moore, Parker, Randle, Russell, Swift, Trollinger, Westfall and Wood—21.

Nays—none.

Absent, not voting—Senators Baker, Bradley, Flanagan, Ledbetter and Stirman.

House bill No. 53, "An act supplemental to 'An act to incorporate the city of Brenham, and to grant a new charter to said city,'" approved February 4, 1873, was read first time.

On motion of Senator Ellis, the rules were suspended and bill read second time.

On motion of Senator Wood, the rules were further suspended, bill read third time and passed by the following vote:

Yeas—Senators Allison, Ball, Bradshaw,

Bradley, Camp, Culberson, Davenport, Dillard, Ellis, Erath, Friend, Hobby, Ireland, Morris, Moore, Parker, Randle, Russell, Swift, Trollinger, Westfall and Wood—22.

Nays—None.

Absent, not voting—Senators Baker, Dwyer, Flanagan, Ledbetter and Stirman.

Senator Westfall moved to reconsider the vote taken on yesterday on Senate bill No. 9, entitled "An act to incorporate the Austin Omnibus Company," and to recommit the same to the Judiciary Committee. Adopted.

Senator Russell moved to take up House bill No. 61, an act to be entitled "An act authorizing the County Court of Cameron county to issue bonds for the purpose of funding the county indebtedness, and to provide for the payment of the same." Carried.

Bill read first time.

On motion of Senator Ireland, the rules were suspended and the bill read second time.

On motion of Senator Russell, the rules were further suspended, bill read third time and passed by the following vote:

Yeas—Senators Allison, Ball, Bradshaw, Bradley, Camp, Culberson, Davenport, Dillard, Ellis, Erath, Friend, Hobby, Ireland, Morris, Moore, Parker, Russell, Swift, Trollinger, Westfall and Wood—21.

Nays—None.

Senator Dwyer was excused from voting.

Absent, not voting—Senators Baker, Flanagan, Ledbetter, Randle and Stirman.

Senator Randle offered the following resolution:

Resolved, That the chairman of the committee on Engrossed Bills be authorized to employ one assistant engrossing clerk.

Adopted.

Senator Dillard offered the following resolutions:

1. *Resolved*, That a special messenger, to be appointed by the President of the Senate, be dispatched to the counties of Austin, Wharton, Fort Bend and Waller, to procure the ballots cast in the election in said counties, held on the second day of December, 1873, for State Senator; said ballots to be used as evidence in the case wherein Walter M. Burton is the contestee, and Z. Hunt is the contestant for the position of State Senator from the Thirteenth District.

2. *Resolved*, That the district clerks of said counties are, hereby required to place said ballots in a box, or to neatly fold them up, and to seal them up with their respective seals, and to deliver them to said messenger.

3. *Resolved*, That the expenses of sending for and returning said ballots, be borne equally by the contestee and contestant in accordance with their agreement.

Senator Culberson moved to refer the resolution to the Judiciary Committee. Lost.

The resolution was adopted.

Senator Swift offered the following resolution:

Resolved, That the Secretary of the Senate be, and is hereby authorized to have one thousand letter heads printed for the use of the Senate.

Adopted.

(Senator Ireland in the chair.)

A message from the House, announcing the passage of Senate joint resolution No. 18, "ratifying the amendments to section twenty of article one, Bill of Rights; to section two, section three and section four of article five; section twenty-eight; section forty and section forty-eight of article twelve of general provisions of the Constitution of the State of Texas."

Senator Ellis introduced a bill entitled "An act to repeal 'An act to regulate the sale of lands under the decrees of the court,' approved August 30, 1870." Read first time and referred to Committee on Judiciary.

The Committee on Contingent Expenses made the following report:

Hon. R. B. Hubbard, Speaker of the Senate:

Your Committee on Contingent Expenses, to whom was referred House bill No. 3, "An act appropriating the sum of twenty thousand dollars, or so much thereof as may be necessary to defray the contingent expenses of the first session of the Fourteenth Legislature," have examined the same, and instruct me to report the bill back with the recommendation that it do pass. Respectfully submitted,

W. H. WESTFALL, Chairman.

On motion of Senator Swift, the rules were suspended, the bill read second time and passed to third reading.

On motion of Senator Swift, the rules were further suspended, bill read third time and passed by the following vote:

Yeas—Senators Allison, Bradshaw, Bradley, Camp, Culberson, Davenport, Dillard, Dwyer, Ellis, Erath, Friend, Hobby, Ireland, Morris, Parker, Randle, Russell, Swift, Trollinger, Westfall and Wood—21.

Nays—None.

Absent, not voting Senators Ball, Baker, Flanagan, Ledbetter, Moore and Stirman.

On motion of Senator Culberson, Senate bill No. 8, "An act to reorganize the Seventh, Eighth and Eleventh Judicial Districts of the State of Texas, and fix the times for holding courts therein," was taken up, read third time and passed.

On motion of Senator Westfall, the message from the Governor was taken up and read, which was as follows:

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,

AUSTIN, TEXAS, January 24, 1874.

To the Honorable Gentlemen of the Senate:

I respectfully ask your consent to the appointment of the following officers, to-wit:

J. M. Freeman, to be notary public, Grimes county.

J. H. Wilson, to be notary public, Grimes county.

F. B. Greenwood, to be notary public, Grimes county.

Henry D. Patrick, to be notary public, Grimes county.

W. M. Hayes, to be notary public, Cook county.

John W. Stephenson, to be notary public, Waller county.

W. Woodward, to be notary public, Waller county.

Frank J. Cook, to be notary public, Waller county.

A. B. Corley, to be notary public, Freestone county.

T. J. Newman, to be notary public, Washington county.

T. J. Ayers, to be notary public, Kaufman county.

P. M. Moorehouse, to be notary public, Kaufman county.

H. B. McCorkle, to be notary public, Kaufman county.

W. O. Davis, to be notary public, Cook county.

Robert S. Guy, to be notary public, Dallas county.

William Terry, to be notary public, Van Zandt county.

W. B. Ector, to be notary public, Van Zandt county.

H. M. Barfield, to be notary public, Van Zandt county.

George McCormick, to be notary public, Colorado county.

William R. Ellis, to be notary public, Leon county.

J. E. Ellis, to be notary public, Lamar county.

Emory C. Smith, to be notary public, Denton county.

I also respectfully ask the consent of your honorable body to the appointment of the following judges, viz.:

J. M. Lindsay of Cook county, to the judgeship of the Twelfth Judicial District, *vice* Hon. C. C. Binckley, resigned.

Silas Hare of Grayson county, to the judgeship of the Criminal District Court of the cities of Dallas, McKinney and Sherman.

Very respectfully,

RICHARD COKE, Governor.

(President in the chair.)

Sergeant at arms announced a committee from the House, who announced the following proceedings of that body, in the in-

peachment of William Chambers, Judge of the First Judicial District:

WHEREAS, Wm. Chambers, Judge of the First Judicial District, was duly and legally impeached by the House of Representatives of the Thirteenth Legislature for high crimes and misdemeanors; and

Whereas, The articles of impeachment against the said judge were duly preferred, presented to and lodged in the Senate, and the said cause of impeachment is yet pending undetermined before said body; and

Whereas, The people and the bar of the First Judicial District earnestly and unanimously desire the prosecution of said cause; therefore, be it

Resolved, That the Speaker do appoint five managers to conduct said impeachment before the Senate.

I certify the above is a true copy of the resolution adopted by the House of Representatives on the twenty-second of January, 1874, and the Speaker appointed as said managers, Messrs. Simpson, Epperson, O'Neal, Farrar and Delany.

W. C. WALSH,

Chief Clerk House of Representatives.

The Senate, through its President, acknowledged the reception of the Committee of Impeachment on the part of the House, and stated that the Senate would take the necessary action in the matter.

Senator Hobby offered the following resolution:

Resolved, That the secretary of the Senate be and is hereby directed to issue a summons in the usual form to Wm. Chambers, Judge of the First Judicial District of the State of Texas, to answer certain articles of impeachment exhibited against him, by the House of Representatives, and that said summons may be executed by any officer authorized to execute the same; that the said summons be returnable here, at this, or the next succeeding session of the Senate, and upon the return thereof duly executed, the Senate will thereupon take an order, for the trial of said impeachment, of which order notice will be given to the House, and that said Wm. Chambers, Judge of the First Judicial District, be furnished by the secretary with a certified copy of the articles exhibited against him, and that this resolution be laid before the House.

Adopted.

Senator Allison introduced a bill to be entitled "An act to fortify land titles." Read first time and referred to Judiciary Committee.

On motion of Senator Trolinger, the Senate went into executive session.

IN SENATE.

On motion of Senator Dillard, the Secretary was instructed to inform his Excellency, the Governor, that the Senate does advise

and consent to the appointment and confirmation of the following officers:

J. M. Freeman, to be notary public, Grimes county.

J. H. Wilson, to be notary public, Grimes county.

F. B. Greenwood, to be notary public, Grimes county.

Henry D. Patrick, to be notary public, Grimes county.

W. H. Hayes, to be notary public, Cook county.

John W. Stephenson, to be notary public, Waller county.

W. Woodward, to be notary public, Waller county.

Frank J. Cook, to be notary public, Waller county.

A. B. Corley, to be notary public, Freestone county.

T. J. Newman, to be notary public, Washington county.

T. J. Ayers, to be notary public, Kaufman county.

P. M. Moorehouse, to be notary public, Kaufman county.

H. B. McCorkle, to be notary public, Kaufman county.

W. O. Davis, to be notary public, Cook county.

Robert S. Guy, to be notary public, Dallas county.

William Terry, to be notary public, Van Zandt county.

W. B. Ector, to be notary public, Van Zandt county.

H. M. Barfield, to be notary public, Van Zandt county.

George McCormick, to be notary public, Colorado county.

William R. Ellis, to be notary public, Leon county.

J. E. Ellis, to be notary public, Lamar county.

Emory C. Smith, to be notary public, Denton county.

J. M. Lindsay, of Cook county, to the judgeship of the Twelfth Judicial District, *vice* Hon. C. C. Binckley, resigned.

Silas Hare, of Grayson county, to the judgeship of the Criminal District Court of the cities of Dallas, McKinney and Sherman.

On motion of Senator Ireland, the Senate adjourned to 10 o'clock, A. M. Monday.

TWELFTH DAY.

SENATE CHAMBER, /

AUSTIN, January 26, 1874. \

Senate met pursuant to adjournment. Roll called; quorum present.

Prayer by the Rev. Mr. Dodge.

Journal of Saturday read, corrected and adopted.